

## REMARKS

Claims remaining in the present application are Claims 1-21. No Claims have been amended or cancelled in this response.

### CLAIM REJECTIONS UNDER 35 U.S.C. §103

#### Muta, Nagai, and Zelinsky

Claims 1-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muta et al., U.S. Pat. No. 6,448,958 (hereinafter, Muta) in view of Nagai U.S. Pat. No. 5,483,631 (hereinafter, Nagai), in further view of Zelinsky, et al., U.S. Pat. No. 4,837,710 (hereinafter, Zelinsky). The rejection is respectfully traversed for the following reasons.

#### CLAIM 1

Claim 1 recites, in part:

- b) an application program of said computer system making a call to request a display attribute for an object to be displayed on said display screen;
- c) in response to said request, indexing a table with said flag and an object identifier to obtain a display attribute, wherein said object identifier identifies said object, and wherein said table is located in said computer system externally of said application program and comprises a list of said object identifiers and a plurality of display attribute lists, each of said display attribute lists having a display attribute associated with each of said object identifiers, wherein at least two of said display attribute lists correspond to different potential display capabilities of said display screen.

#### MUTA

The rejection states that "Muta does not explicitly disclose that indexing a table, which comprises a list of object identifiers and an associated display attribute lists." Applicants understand that the Office Action is referring to the limitation "indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists," as recited by Claim 1. Applicants respectfully agree. The rejection also states that Muta does not specifically disclose "at least two of display attribute lists correspond to display capabilities of display screen."

Applicants shall assume that the Office action is referring to the limitation “at least two of said display attribute lists correspond to different potential display capabilities of said display screen.” Applicants respectfully agree.

Further note that Claim 1 discloses an application program and a table that are located on the same computer system. In contrast, Muta teaches a method of displaying windowing information on a portable information terminal that has limited capabilities, where the windowing information comes from a fully operation operating system. Since the portable information terminal cannot execute the fully operational operating system, by definition, Muta teaches away from having the application and the table on the same computer system, as recited in Claim 1. For example, at Col. 1, lines 22-27, Muta states,

On the other hand, a portable terminal, such as a smartphone, which has a small memory capacity and is provided only with a telephone function and an output function of a simple display, etc., including “Datascope” of Kyocera and “Pinocchio” of Panasonic, can only operate a special chip OS and can not use a general purpose OS.

Therefore, it is respectfully submitted that Muta does not teach “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system, as Claim 1 recites.

#### NAGAI

Nagai teaches a way of using a remote display unit with insufficient ability to display information by converting the display information so that the display information can be displayed on the remote display unit. Applicants respectfully submit that Nagai does not remedy the deficiency in Muta in that the combination and namely Nagai also does not disclose the limitations “indexing a table... wherein

said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system of Claim 1, alone or in combination with Muta.

In fact, the rejection does not address that Nagai teaches “at least two of display attribute lists correspond to display capabilities of display screen” or an application program and a table that are located on the same computer system as recited in Claim 1. Applicants respectfully agree.

Further, the rejection states that Nagai disclosed “indexing a table, which comprises a list of object identifiers and an associated display attribute lists.” For the sake of argument, Applicants shall assume that the rejection is referring to the limitation “indexing a table ... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” as recited by Claim 1.

The rejection also indicates that Nagai discloses “indexing a table ... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists” in the abstract and at Col. 1, line 63 to Col. 2, line 17. Referring to the fifth line of the Abstract, assuming for the sake of argument that “object identifier” recited in Claim 1 is analogous to Nagai’s “display identifier,” then note that Nagai’s “display identifier” is included in Nagai’s “display data” rather than being used to index a table.

Further, referring to Col. 1, line 62 to Col. 2, line 17, it is unclear to Applicants what in Nagai corresponds to the table recited in Claim 1, let alone the “list of object identifiers” and the “plurality of attribute lists” recited in Claim 1. Nagai teaches “generating a display identifier corresponding to a management object,” “registering

a data table,” “selects, converts and processes the above component data into display data” but Nagai does not teach “indexing a table,” as recited by Claim 1. Importantly, Nagai does not teach “indexing a table ... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” as Claim 1 recites.

Therefore, it is respectfully submitted that Nagai does not teach “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system, as Claim 1 recites.

#### ZELINSKY

Zelinsky teaches a method of translating monochrome data from a host computer to color data for display on a color screen. Applicants respectfully submit that Zelinsky does not remedy the deficiency in Muta and in Nagai in that Zelinsky does not disclose the limitations “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system of Claim 1, alone or in combination with Muta.

In fact, the rejection does not state that Zelinsky teaches “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” or an application program and a table that are located on the same computer system, as recited in Claim 1 above. Applicants respectfully agree.

Further, the Office Action states that Zelinsky discloses “at least two of display attribute lists correspond to display capabilities of display screen.” For the sake of argument, Applicants shall assume that the rejection is referring to the limitation “at least two of said display attribute lists correspond to different potential display capabilities of said display screen” of Claim 1.

The rejection also indicates that Zelinsky’s monochrome attributes and color display attributes are analogous to Applicant’s “two display attribute lists.” However, the “at least two of said display attribute lists” recited in Claim 1 are comprised by the “table” of Claim 1, whereas, Zelinsky’s monochrome attributes are translated into color display attributes and, therefore, they (monochrome attributes and color display attributes) are not both comprised by Zelinsky’s table. Therefore, Applicants assert that Zelinsky cannot teach “at least two of said display attribute lists correspond to different potential display capabilities of said display screen,” as Claim 1 recites.

Therefore, it is respectfully submitted that Zelinsky does not teach “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system, as Claim 1 recites.

Muta incompatible with Nagai and Zelinsky

Further, Applicants respectfully assert that Muta is incompatible with Nagai and Zelinsky. Even if, for the sake of argument, Muta would be combined with Nagai and/or Zelinsky the combination would not teach or suggest the embodiment that Applicants have claimed in Claim 1. Muta teaches a technique that allows a

computer system with very limited processing ability to be able to display objects that were designed to be displayed on a computer system with far more processing power. The computer system with the limited processing capability (215) must send information to the computing system with more processing power (e.g., supporting server 247), which sends back a rendering instruction. Thus, the nature of Muta's invention requires two separate computer systems. Moreover, any attempt to combine Nagai and/or Zelinsky to arrive at the claimed invention would appear to require incorporating teachings of Nagai and/or Zelinsky into Muta's supporting server (247), as that is where Zelinsky determines what should be rendered on the computer system with limited processing ability. Thus, even if for the sake of argument the teachings of Nagai and/or Zelinsky were to be combined with Muta, the combination does not suggest Claim 1, as Claim 1 recites limitations that the application program and the table are both on the same computer system.

Because Muta is not combinable with Nagai and/or Zelinsky, according to Applicant's understanding, only Nagai and Zelinsky are left to combine under this 35 U.S.C. §103 rejection. Applicants further assert that even if teachings of Nagai and Zelinsky were to be combined, the limitations of Claim 1 would not realized. At a minimum this is because the combination of Nagai and Helsinki fails to teach or suggest, "an application program of said computer system making a call to request a display attribute for an object to be displayed on said display screen," as claimed. For the foregoing reasons, Claim 1 is respectfully believed to be patentable over Muta, Nagai and Zelinsky.

#### Impermissible Hindsight Analysis

Applicants argue that the instant rejection engages in impermissible hindsight analysis. Thus, even if Muta is assumed to be combinable with Nagai and Zelinsky,

the cited combination of Muta, Nagai, and Zelinsky fails to teach or suggest the claimed, "table ... located externally of said application program and compris[ing] a list of said object identifiers and a plurality of display attribute lists, each of said display attribute lists having a display attribute associated with each of said object identifiers, wherein at least two of said display attribute lists correspond to display capabilities of said display screen." The Federal Circuit has warned against the impermissible use of hindsight in a 35 U.S.C. §103 analysis.

Our analysis begins in the text of section 103 quoted above, with the phrase "at the time the invention was made." For it is this phrase that guards against entry into the tempting but forbidden zone of hindsight,...when analyzing the patentability of claims pursuant to that section. Measuring a claimed invention against the standard established by section 103 requires the oft-difficult but critical step of casting the mind back to the time of the invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field....Close adherence to this methodology is especially important in the case of less technologically complex inventions, where the very ease with which the invention can be understood may prompt one to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher (*In re Dembiczak*, 50 USPQ 2d 1614, 1616-17 (Fed. Cir. 1999, emphasis added).

The rejection essentially asserts that one of ordinary skill in the art, in theory, could have thought to combine Zelinsky's teaching of a table having a conversion between monochrome display attributes to color attributes with Nagai's teaching of a table having display objects and display attributes with Muta's teaching of a rendering engine, while modifying Muta's teaching by including a display mode flag that is used to index the table.

Applicants respectfully assert that the rejection is impermissibly using the Applicant's Claim 1 as a blueprint to piece together pieces of prior art to arrive at the claimed invention, while the references themselves provide no suggestion for the claimed combination.

With respect to the Zelinsky reference, which the rejection uses as teaching the limitation of "display attribute lists correspond to different [potential display] capabilities of said display screen," the rejection essentially asserts the motivation to combine Zelinsky with Nagai and Muta would have been "to effectively provide proper display attribute corresponding to the display device's type." Applicants respectfully submit that the rejection essentially argues that combining Zelinsky with Nagai and Muta results in a better design. However, it is the Applicant's Claim 1 that teaches this improvement. Applicants respectfully assert that the rejection is engaging in hindsight reasoning and using the instant the claims as a blueprint.

For the foregoing rationale, one of ordinary skill in the art would not have been motivated to combine the references to arrive at the embodiment recited in Claim 1. Moreover, for reasons previously discussed, Applicants respectfully assert that Muta is not combinable with Nagai and/or Zelinsky Therefore, is respectfully asserted that independent Claim 1 is patentable over the cited combination of Muta, Nagai and Zelinsky.

#### Muta, Rhyne, and Zelinsky

Claims 1-21 are also rejected under 35 U.S.C. §103(a) as being unpatentable over Muta in view of Rhyne U.S. Pat. No. 4,521,770 (hereinafter Rhyne), in further view of Zelinsky. The rejection is respectfully traversed for the following reasons.



As already stated, Muta and Zelinsky do not teach the limitations of Claim 1 recited above, alone or in combination.

### RHYNE

Rhyne discloses a use of inversions in the near realtime control of selected functions in interactive buffered raster displays. Applicants respectfully submit that Rhyne does not remedy the deficiency in Muta in that Rhyne does not disclose the limitations “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system of Claim 1, alone or in combination with Muta.

In fact, the Rejection does not state that Rhyne teaches “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system as recited in Claim 1. Applicants respectfully agree.

Further, the Rejection states that Rhyne discloses “indexing a table, which comprises a list of object identifiers and an associated display attribute list.” For the sake of argument, Applicants shall assume that the rejection is referring to the feature “indexing a table ... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists” of Claim 1.

The Rejection also indicates that Rhyne’s “object identifier” is analogous to “list of object identifiers” recited in Claim 1, that Rhyne’s “color look-up table” is

analogous to the “table” recited in Claim 1 and that Rhyne’s “color attributes” are analogous to “display attribute lists,” recited in Claim 1.

Although Rhyne teaches indexing the color look-up table with an object identifier to obtain color attributes, Rhyne does not teach that his color look-up table comprises his object identifier and his display attributes, therefore, Rhyne cannot teach “indexing a table ... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” as Claim 1 recites.

Therefore, it is respectfully submitted that Rhyne does not teach “indexing a table... wherein said table ... comprises a list of object identifiers and a plurality of display attribute lists,” “at least two of display attribute lists correspond to display capabilities of display screen,” or an application program and a table that are located on the same computer system, as Claim 1 recites.

#### Muta Incompatible with Rhyne and Zelinsky

For reasons discussed herein, there is no suggestion in the references to combine Muta with Rhyne and/or Zelinsky in such a way to realize the claimed embodiments of the Applicants invention. Moreover, any attempt to combine Rhyne and/or Zelinsky to arrive at the claimed invention would appear to require incorporation of the teachings of Rhyne and/or Zelinsky into Muta's supporting server (247), as that is where Zelinsky determines what should be rendered on the computer system with limited processing ability. Thus, even if for the sake of argument the teachings of Rhyne and/or Zelinsky were to be combined with Muta, the combination cannot be what Applicants have claimed in Claim 1, as Claim 1 recites limitations that the application program and the table are both on the same computer system.

Because Muta is incompatible with Rhyne and/or Zelinsky, according to Applicant's understanding, if teachings of Rhyne and Zelinsky were to be combined, the limitations of Claim 1 would not be realized. At a minimum this is because the combination of Rhyne and Zelinsky fails to teach or suggest, "indexing a table with said flag and an object identifier to obtain a display attribute," as claimed.

For the foregoing reasons, Claim 1 is respectfully believed to be patentable over Muta, Rhyne and Zelinsky. For reasons discussed above, Claim 1 is respectfully believed to be patentable over Muta, Nagai, and Zelinsky. Therefore, it is respectfully asserted that independent Claim 1 overcomes the references cited of record and is therefore allowable.

#### Claims 10 and 13

Currently Claims 10 and 13 contain similar limitations as Claim 1. For the reasons discussed in the response to Claim 1, it is respectfully asserted that independent Claims 10 and 13 overcome the references cited of record and are therefore allowable.

Claims 2 - 9, 11 - 12, and 14 - 21 depend respectively from Claims 1, 10, and 13, which are believed to be allowable. As such, it is respectfully asserted that the rejection of Claims 2 - 9, 11 - 12, and 14 - 21 has been overcome.

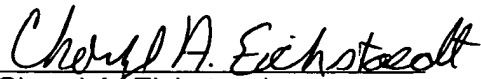
#### CONCLUSION

In light of the above listed remarks, reconsideration of the rejected Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-21 overcome the rejections of record. Therefore, allowance of Claims 1-21 is earnestly solicited.

Should the Examiner have a question regarding the instant response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,  
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Dated: Sept 7, 2004

  
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